

**GREG GONZALEZ, In his official capacity
as Commissioner-In-Possession of Sentinel
Trust Company and Receivership Management,
Inc., Receiver of Sentinel Trust,**

Plaintiff,

v.

DANNY N. BATES, et al.,

Defendants.

No. 4980

Before the Court is a motion for additional relief regarding sale of properties subject to judgment liens pursuant to judgment entered in this case. The Court has received a response addressing this motion from Danny N. Bates.

The Court finds on the record before it that:

1. The potential of redemption may well interfere with the sale of the properties in question;

2. There is no proof at all that Danny N. Bates could ever redeem the properties.

Furthermore, he has been convicted of criminal acts related to the procurement of the judgment and monies illegally taken from Sentinel Trust Company that were used to purchase the subject properties. His resistance to sale subject to no redemption is based solely on recalcitrance and an

intention to not cooperate in the collection of the \$4.345 million judgment against him; and

3. Circumstances described herein warrant judicial barring of the right of redemption consistent with Tenn. Code Ann. § 66-8-101. *See* 21 Tennessee Jurisprudence Redemption § 25 (2008).

It is therefore ORDERED that:

1. There is no right by the judgment debtors to redeem the properties commonly described as 205 Bastin Road and the 134-acre tract adjacent to 205 Bastin Road (tracts one, two and three to the Court's May 24, 2010 Implementation Order). Any sale of these properties to collect the outstanding judgment shall be without the right/equity of redemption;

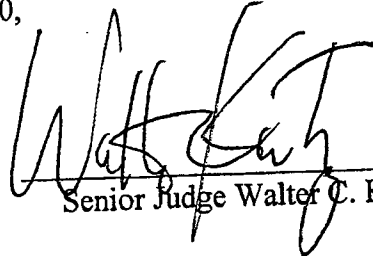
2. In order to implement the above:

- A. Plaintiffs are allowed to market and advertise the subject properties for sale in a commercially-reasonable fashion;
- B. Plaintiffs are allowed to market and advertise that those sales will be without the right/equity of redemption;
- C. Plaintiffs are allowed to market and advertise that the sale of any particular property be upon credit of not less than six (6) months, nor more than two (2) years; and
- D. Plaintiffs are allowed to present to the Court, upon further motion, the best offer obtained for approval and confirmation and to seek further Orders of the Court; and

The Court is convinced that allowing the sale of the property to be effectuated as set out above will maximize the sale amount and therefore be to the benefit of the defendants, who should want to reduce the outstanding judgment and have the receiver/commissioner recapture entitled monies lost by Sentinel Trust Company.

3. As to tracts four and five, the Court can take no action until Wayne County Bank is before the Court as a party.

This the 17th day of December, 2010,


Senior Judge Walter C. Kurtz

cc:

Graham Matherne
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203

Janet Klienfelter, Senior Counsel, Special Litigation Division
Office of the Tennessee Attorney General
P.O. Box 20207
425 5th Avenue North
Nashville, Tennessee 37202-0207

Danny Bates
Deana June Bates
807 Summertown Hwy.
Hohenwald, Tennessee 38462

Jeanne Barnes Bryant
Receiver Management Inc.
783 Old Hickory Boulevard, Suite 255
Brentwood, Tennessee 37027

Clifton Bates
312 Bastin Road
Hohenwald, Tennessee 38462

Gary O'Brien
163 Shady Lane
Hohenwald, Tennessee 38462

David D. Peluso
P.O. Box 250
Hohenwald, Tennessee 38462-0250

Diana M. Thimmig
1375 East Ninth Street
One Cleveland Center, Ninth Floor
Cleveland, Ohio 44114

Larry Stewart
424 Church Street, Suite 2800
Nashville, Tennessee 37219

James S. Hereford, Jr.
310 West College Street
P.O. Box 802
Fayetteville, Tennessee 37334-0802

Robert E. Flippo
Audra Flippo
10356 Sinking Creek Road
Linden, Tennessee 37096

Michael T. O'Brian
1730 Rockhouse Road
Hohenwald, Tennessee 38462

Martin Haggard
Wayne County Bank
216 South High Street
Highway 64 West
Waynesboro, Tennessee 38485